

Message Text

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ACTION L-03

INFO OCT-01 ARA-06 ISO-00 JUSE-00 AID-05 CPR-01 OPR-02

SSO-00 /018 W

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FM AMEMBASSY GEORGETOWN

TO SECSTATE WASHDC IMMEDIATE 2452

LIMITED OFFICIAL USE GEORGETOWN 0404

E.O. 11652: N/A

TAGS: ASCH, PDIP, GY

SUBJECT: CIVIL SUIT AGAINST CHAIRMAN OF SCHOOL BOARD

REF: STATE 048295

1. LAWYER J.T. CLARKE HAS BEEN ENGAGED BY SCHOOL BOARD FOR THIS PARTICULAR CASE. ENGAGEMENT WAS ORIGINALLY FOR PURPOSE OF EVICTING FORMER CUSTODIAN PERCY FROM QUARTERS ON SCHOOL PROPERTY, BUT PERCY EVENTUALLY LEFT VOLUNTARILY. CLARKE IS NOT RPT NOT ON RETAINER

SCHOOL BOARD CONSISTS OF ONE EMBASSY DIPLOMATIC EMPLOYEE, TWO WIVES OF EMBASSY DIPLOMATIC EMPLOYEES, AID DIRECTOR'S WIFE, AND WIFE OF ONE PRIVATE U.S. CITIZEN. WIFE OF PRIVATE U.S. CITIZEN DOES NOT HOLD ANY BOARD OFFICE OTHER THAN MEMBER.

2. SINCE WE REALIZED TIME BETWEEN DEPARTMENT'S AUTHORIZATION AND MARCH 4 DATE OF MAGISTRATES HEARING WAS SHORT, I BRIEFED FONMIN WILLS ON SUMMONS WHEN I SAW HIM ON ANOTHER MATTER FEB 27. HE HAD ALREADY BEEN AWARE OF THE EARLIER PROBLEM REGARDING FORMER CUSTODIAN PERCY. I EMPHASIZED TO HIM THAT WE WOULD NOT MAKE PLEA OF DIPLOMATIC IMMUNITY OR ANY OTHER PLEA WITHOUT PERMISSION FROM THE DEPARTMENT, WHICH WE HAD REQUESTED.

3. WILLS INITIAL REACTION WAS THAT SCHOOL BOARD CLEARLY HAS DIPLOMATIC IMMUNITY AND THAT MRS. MUDGE WAS SUMMONED IN HER CAPACITY OF AN OFFICER OF THAT DIPLOMATICALLY IMMUNE ESTABLISHMENT.

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HE SAID HE WOULD HAVE TO INQUIRE OF ATTORNEY GENERAL SHAHABUDDEEN

TO DETERMINE HOW PLEA WOULD BE MADE (I.E. BY REPRESENTATIVE
OF AG, FONOFF, OR CLARKE) IN EVENT THAT DEPARTMENT SO AUTHORIZED.

4. SINCE SUMMONS IS FOR MARCH 4, WE OBVIOUSLY NEED IMMEDIATE
RESPONSE AS TO HOW SCHOOL BOARD ATTORNEY SHOULD PLEA.
KREBS

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